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REMARKS

Claims 1, 2 and 5-29 are pending in the application; claims 10-12, 14, 18-22, 25 and 26 are withdrawn from consideration; and claims 1, 2, 5-9, 13, 15-17, 23, 24 and 27-29 are rejected in this application.

Responsive to the Examiner's objection to the previous amendment to the specification, Applicant respectfully traverses the objection. Pursuant to MPEP 2163.06 it was specifically pointed out in the previous amendment that there was support for the amendment to the specification in the disclosure. In the previous amendment Applicant pointed to Figs. 1-3, which illustrate a cylindrical ring-like structure 26. The hidden lines denote that the surface of the base structure extends through structure 26. A short cylindrical hollow structure is commonly understood to be a ring. Further, Webster's Ninth Collegiate Dictionary (see attachment) defines a ring as 'a circular band,' which corresponds to what is illustrated in Figs. 1-3 of the application. For the foregoing reasons, Applicant submits that the previous amendment to the specification is properly supported by the disclosure of the original application.

Responsive to the Examiner's rejection of claims 1, 2, 5-9, 13, 15-17, 23, 24 and 27-29 under 35 U.S.C. § 112, first paragraph, Applicant respectfully traverses the rejection for the reasons stated in the prior paragraph. Structure 26 in the Applicant's drawing is graphically disclosed as being a ring in that it is of a hollow cylindrical construct, which meets the foregoing definition included in Webster's Dictionary. For the foregoing reasons, Applicant submits that claims 1, 2, 5-9, 13, 15-17, 23, 24 and 27-29 do claim elements of the invention, which are described in the specification at the time the application was filed.

Responsive to the Examiner's rejection of claims 1, 2, 5-8, 13, 15 and 17 under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 4,974,782 (Nelson), Applicant respectfully

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traverses the rejection and submits that claims 1, 2, 5-8, 13, 15 and 17 are in condition for allowance.

Nelson '782 discloses a pressure developer and rolls therefor having segments of elastomeric material for control of the modulus of elasticity (Figs. 1-7) including a cylindrical outer shell 30 and a loading shaft 35. A composite material 38 extends between outer shell 30 and loading shaft 35, thereby supporting outer shell 30. Composite material 38 has a compressibility or elastic modulus, which varies along the length of the roll from the axial center of the roll. Compensation for the bending of shaft 35 is achieved by providing a series of individual annular rings or segments formed of the elastomeric material. Compensation for the bending of shaft 35, as shown in Fig. 2, is accomplished by employing rings or segments 50 of identical material and by varying the axial width of individual segments 50. Another embodiment as shown in Fig. 3, includes elastomeric segments 60, which are of identical axial width W, but pitch L or spacing between segments is varied so that segments 60 are closest together near the axial center of the roll and are progressively spaced farther apart from the center. In another embodiment of the invention, as shown in Fig. 4, individual segments 70 of elastomeric material which provide compensation for bending of shaft 35 by having segments 70, which have a decreasing modulus of elasticity with an increasing distance from the center of the shaft. The modulus of elasticity of the center segment 70a has a maximum value as compared to decreasing modulus of each of the additional segments 70 with increasing distance from the center segment 70a (column 3, line 4 through column 4, line 7). The Examiner has argued that elements 50, 60a and an element to the right of lead line 70a "could be considered a rigid support." However, the disclosure indicates that each of the rings are of elastomeric material, which by its nature is not rigid. The Examiner has indicated at page 8 of the Office Action that the ring of Nelson is made of a solid material, as quoted from column 3, line 25 of Nelson and further indicates that solid

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material is considered rigid.

In contrast, claim 1, as previously amended, recites in part:

a base body being substantially cylindrical;

at least one rigid support ring into which said base body is inserted;

(Emphasis added). Applicant submits that such an invention is neither taught, disclosed nor suggested by Nelson or any of the other cited references, alone or in combination, and includes distinct advantages thereover.

Nelson discloses a pressure developer and rolls therefor having segments of elastomeric material for the control of the modulus of elasticity. In the Examiner's opinion a solid material is considered rigid, while Nelson indicates that the segments be formed of either a solid material or a composite as described above (in the text of Nelson) the description is one of a compressible segment having an elastic modulus. A solid material does not necessarily indicate that a material is rigid, as declared by the Examiner. Numerous items, including the segments of Nelson, can be a solid material, yet not rigid, for example, putty is solid yet has no rigidity in that it is highly deformable. Since Nelson defines the material as being compressible and having a modulus of elasticity the Examiner's assigning the characteristic of being rigid to such a material is contrary to the teachings of Nelson. Nelson teaches a composite material 38 in which the compressibility or elastic modulus of the material varies along the length of the roll from the axial center of the roll (column 3, lines 14-17). The compensation for shaft bending is also achieved by providing a series of individual annular segments formed of an elastomer material. The segments may be formed either as a solid material or as a composite (column 3, lines 21-25). This description describes a construct that has a radial compressibility that varies along the axial length of the roll. It is varied due to the use of a composite that is constructed to have a varied compressibility along the axial length, or from segments that are formed of a solid elastomer. Each of the

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segments are arranged in an order of increasing compressibility from the axial center of the roll.

An alternate construct uses segments of identical material with varying axial widths to achieve a variable compressibility along the length of the shaft. The segments are made of an elastomer, which may be solid or a composite. This portion of Nelson must be interpreted to mean that the elastomer segments each have either a uniform compressibility over its width (i.e. solid) or each have varying compressibility over the width of the segment, to be consistent with the rest of the disclosure of Nelson. In contrast, Applicant's invention is radially rigid, in fact completely rigid, as described on page 8, line 9 of Applicant's specification. Therefore, Nelson and any of the other cited references, alone or in combination, fail to disclose, teach or suggest a base body being substantially cylindrical and at least one rigid support ring into which the base body is inserted, as recited in claim 1.

An advantage of Applicant's invention is that the base roll is substantially cylindrical and is inserted into a rigid ring that is in contact with an outer cylindrical shell, thereby providing a radially rigid support point. This advantageously allows for the ease of manufacture of the roll by allowing the base body to be inserted into the ring, either prior to or after positioning of the ring in the cylindrical shell. Accordingly, Applicant submits that claim 1 and claims 2, 5-8, 13, 15-17, 23, 24 and 27-29 depending therefrom, are in condition for allowance, which is hereby respectfully requested.

Claims 9, 16 and 23 have been rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nelson. However, claim 9, 16 and 23 depend from claim 1, and claim 1 is in condition for allowance for the reasons given above. Accordingly, Applicant submits that claims 9, 16 and 23 are in condition for allowance, which is hereby respectfully requested.

Claims 24 and 27-29 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nelson in view of U.S. Patent No. 3,750,246 (Pessen). However, claims 24 and 27-29 depend

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from claim 1, and claim 1 is in condition for allowance for the reasons given above. Accordingly, Applicant submits that claims 24 and 27-29 are in condition for allowance, which is hereby respectfully requested.

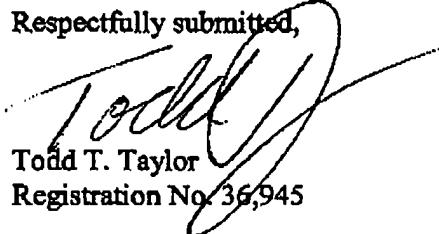
For the foregoing reasons, Applicant submits that the pending claims are definite and do particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Moreover, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

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Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,

  
Todd T. Taylor

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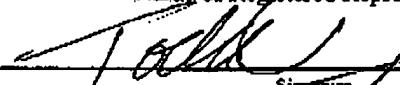
Attorney for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office, on: August 3, 2004.

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Name of Registered Representative

  
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